REMARKS

Rejection Under 35 U.S.C. § 103(a)

In paragraph 6 of the Office Action, the Examiner has rejected independent claims 1 and 13 as being unpatentable over "U. S. Patent 6,351,813 issued to David M. Mooney et al. (hereafter "**Mooney**") in view of U.S. Patent 6,628,938 issued to Sailesh Rachabathuni (hereinafter "**Rachabathuni**")."

The Office Action asserts that with respect to claims 1 and 13 "**Mooney** teaches ... identifying a lowest clearance level assigned to the smart badges with the boundary (see column 16, lines 19 - 30); and providing access (see column 1, lines 65 - 67) to that sub-set of the database information having a clearance levels no higher than the lowest identified clearance level on a computer located with the predefined physical boundary (see Fig.1 and column 8, lines 21 - 55)."

Applicant emphasizes that **Mooney** evaluates clearance levels <u>one user at a time</u> as that one user manually enters their smart card into a smart card reader (see column 1 lines 59 – 62) which states, "requesting information from a user to determine if the user is authorized to access the computer." Also **Mooney** at (Column 16, lines 19 - 30) discusses only evaluating the security clearance of <u>a single user</u> who has inserted their smart card into a reader as shown in **Mooney** Fig. 1.

The Applicant's claim 1 states "identifying a lowest clearance level assigned to the smart badges within the boundary" which means that all of the smart badges within the boundary are having their clearance level evaluated before "providing access to that sub-set of the database information having a clearance level no higher than the lowest identified clearance level on a computer located with the predefined physical boundary."

In contrast, the only physical boundary discussed in **Mooney** is a space for inserting a single smart card into **Mooney's** single "smart card reader", as shown in Fig. 1. **Mooney's** smart card reader can only accept one smart card at a time and **Mooney** evaluates the security clearance of only one user at a time. There is no teaching or suggestion in **Mooney** that multiple smart cards be inserted into **Mooney's** smart card reader at the same time so that the Applicant's claimed simultaneous evaluation of the clearance levels of all users associated with smart badges within a predefined physical boundary could occur.

Mooney's "one user at a time" approach thus permits a first user having a higher clearance level to badge in and have a computer display higher clearance level information, even as another person having a lower clearance level enters the area and is able to see the higher clearance level information on the computer display screen. The claimed invention does not permit such a security lapse.

Similarly, **Mooney** at (Column 8, lines 21-55) and in Fig. 1, does not teach or suggest such simultaneous evaluation of smart badge clearance levels of all users within a predefined physical boundary.

Page 3 of the second Office Action also asserts that with respect to claims 1 and 13, <u>**Rachabathuni**</u> teaches using a wireless beacon to detect which smart badges (see

3

column 6, lines 53 - 67 and column 7, lines 1 - 43) are located with a predefined physical boundary (see column 3, lines 26 - 35 and column 5, lines 9 - 16).

Rachabathuni however does not teach or suggest using such identification of users within a given proximity to a beacon for "providing access to that sub-set of the database information having a clearance level no higher than the lowest identified clearance level" as recited in claim 1. In fact, a search of **Rachabathuni** does not in any combination or permutation turn up key claim 1 limiting words such as: "lowest" "clearance", or "level".

Applicants thus assert that independent claim 1 is in condition for allowance, along with all claims depending thereon.

Applicant also asserts that since independent claims 12, 13, 20, and 21 contain the same limitations as in claim 1, that claims 12, 13, 20, and 21 should be allowed for at least the same reasons as discussed with respect to claim 1, along with all claims depending thereon. Applicant also reasserts all arguments found within Applicant's response to the first office action on this case which was dated June 6, 2003 (paper #3).

Should the Examiner find any remaining impediment to allowance of these claims that could be resolved by a telephone conference, please call the undersigned.

Respectfully submitted,
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Date: ___12 - 19 - 03___   By: _____

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4